

## **Florida Assumption Public Hearing Oct 27 Summary**

Attendees: 137

### **Registered speakers who spoke at the hearing:**

Jose Javier Rodriguez

Michelle Diffenderfer

Kent Wimmer

Rachael Uhland

Jeffrey Blank

Anna Upton

Kurt Spitzer

Lisa Rinaman

Kaila Barreto

Alison Kelly

Beth Alvi

Chris Farrell

Marian Ryan

Tom Knuckey

Faith Bickner

Sandra Chiappetta

Maureen Long

Windy Wood

Annette Redwine

Elyse Brady

Jessica Dennis

Neil Armingeon

Cris Costello

Diana Umpierre

### **Registered speakers who did not speak at the hearing:**

James Savage  
Sharon Savage  
Mike Conner  
Michael Diamicis  
Anton Krilloff  
Andrew Tyler  
Christian Wagley  
Matthew Schwartz  
Juanita Baker

**Speakers not previously registered who were added during this hearing as time allowed:**

Jane West  
Amber Crooks  
Drew Martin  
Chris Pettit  
Albert Gomez  
Dr. Neil Schleifer  
Jim Tatum  
Chris Michaellessi  
Brad Cornell  
Wendy Jerkins  
Georgia Ackerman  
Holly Schwartz  
Sarah Younger  
Susan Caruso  
Matthew Schwartz  
Barbara Angelucci  
Susan Hill

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**Summary of major comments:**

- Concerns with FDEP having adequate resources (budget and person power) and expertise to run the program and not adding resources; COVID and other emergencies resulting in state looking to reduce all agency budgets by 8.5%
- Concerns that 404 program will pull resources from other struggling programs such as TMDL and NPDES
- Comments that package was incomplete because it did not contain BiOp and Incidental Take Statement or adequately explain how species would be protected
- Concerns with information provided on Retained Waters (low resolution maps, list too vague)
- Concerns with EPA's and Florida's lack of public participation, particularly with ESA consultation (noted the need to FOIA the BE) and with COVID issue
- Concern that FWC financial situation and workload is not part of EPA's consideration as well as SHPO, stating agencies have acknowledged they can't handle added responsibilities
- Concerns with lack of state safeguards that would replace federal programs such as NEPA, Magnuson-Stevens, ESA, NEPA and NHPA
- Concern that state has conflict of interest with a bias in favor of helping applicants to quickly obtain permits at the expense of the environment, at times allowing inadequate or missing info from applicants
- Concerns that state isn't as insulated from political pressure as the Corps
- Concerns with Program description being incomplete
- Concerns that ESA Programmatic evaluation is inadequate
- Concerns that FDEP program doesn't demonstrate ability to ensure compliance with 404(b)(1) guidelines in preventing jeopardy
- Reconsider "complete determination"
- General concern with FL govt handling large programs
- Must be postponed due to COVID-19 so public can fully participate
- Recommendation that a % of permits in FL's assumed program should be audited
- Concerns with the loss of federal oversight
- Concerns with inconsistencies between Applicant's Handbook vs FWC procedures in MOU
- MOU unsigned by USFWS
- Concerns with EPA policy change regarding ESA – programmatic consultation is appropriate when covering the same/similar activities
- Concerns with EPA's public notice for the public hearing - two weeks to sign up to speak
- Concerns with FL's public notice procedures
- Concerns that MOU lacks Habitat Conservation Planning (Section 10)

- Concerns that virtual hearings are not full public hearings